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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): DRAXTON et al. Art Unit: 2859  
Serial No.: 10/657,460  
File Date: September 8, 2003 Examiner: Y. Guadalupe  
Title: "ACOUSTIC PYROMETER"

TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Combustion Specialists, Inc., now known by formal change of corporate name as Enertechnix, Inc., of the city of Maple Valley, County of King, State of Washington 98038, represents that it is the assignee of the above-referenced invention. I, George Kychakoff, am President of Combustion Specialists, Inc. and am authorized to sign on behalf of the assignee. The Assignment of James G. Droppo, III, Richard E. Hogle and George Kychakoff was recorded on January 5, 2000 under Reel 010545, Frame 0057 and the Assignment of Dean E. Draxton was recorded on February 28, 2000 under Reel 010644, Frame 0788, and both documents transferred to Combustion Specialists, Inc., now known as Enertechnix, all right, title and interest to the present invention.

Combustion Specialists, Inc. is also the assignee of the invention referenced in US Serial No. 10/020,106 filed December 14, 2001 by deed of the same above identified assignments.

Combustion Specialists, Inc. hereby disclaims the terminal part of any part of any patent granted on United States Patent Application Serial No. 10/657,460 which would extend beyond the expiration date of the full statutory term of any patent issued for US Serial No. 10/020,106 filed December 14, 2001.

Combustion Specialists, Inc. hereby agrees that any patent so granted on Application Serial No. 10/657,460 shall be enforceable only for and during such period as the legal title to that patent shall be the same as the legal title to any

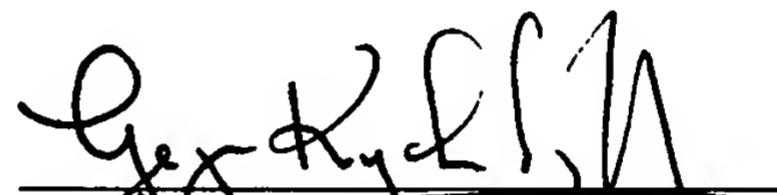
US Patent that issues based on US Serial No. 10/020,106 filed December 14, 2001, this agreement to run with any patent granted on Application Serial No. 10/657,460 and to be binding upon the grantor, its successors or assigns.

Combustion Specialists, Inc. does not disclaim any terminal part of any patent granted on Application Serial No. 10/657,460 prior to the expiration of the full statutory term of any US Patent that issues based on US Serial No. 10/020,106 in the event that such US Patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed, has all claims cancelled by a reexamination certification certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

A Credit Card authorization form for \$110.00 is attached.

5/18/04

Date

  
George Kychakoff, President  
Combustion Specialists, Inc.  
Enertechnix, Inc.

The PTO did not make a copy of the listing  
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Form: